

APPENDIX J - “DRAFT” ADA, PROGRAMMATIC ACCESS AND ALTERNATIVE COMMUNICATION FORMAT PROCEDURES

Policy Statement

This policy, is in accordance with the Americans with Disabilities Act (ADA) of 1990, relating to the prohibiting of discrimination against qualified individuals with disabilities in the full participation and enjoyment of departmental services, programs and policies offered to the public.

The policy of the Department is not to discriminate on the basis of disability in the admission to or operation of its programs, services or activities.

Applicability

The programmatic access and alternative format procedures shall apply to persons with disabilities who need to access a program or service of the Department that is located in an area that still contains architectural barriers or who wish to have access to specific Departmental documentation that would normally be provided to the public.

Purpose

The purpose of these procedures is to provide a timely, uniform and effective means of providing access to programs and services and of addressing requests by any qualified individuals with a disability or their designee who seeks to have alternative format documentation provided by the Department of Land and Natural Resources.

Definition

ADA Complaint – is a written or acceptable alternative means of filing a complaint of discrimination on the basis of disability in any Department of Land and Natural Resources service, program or activity.

OCR-A – Office of Civil Rights, ADA Coordinator, the Departmental ADA Coordinator.

Discrimination – in these procedures shall refer to “alleged discrimination” until such time as a determination is made.

Qualified Individual with Disability – is an individual who has a physical or mental impairment that substantially limits one or more of major life activity; has a record of such impairment; or is regarded as having such impairment.

Objectives

The objectives of these procedures are to:

1. Ensure access to the Departments services, programs or activities to persons with disabilities.
2. Provide management with a means for providing persons with disabilities the opportunity to access Departmental documents and information that the general public has access.
3. Provide an alternative document format systems so that information is readily accessible to all persons.

Providing Programmatic Accessibility

1. The staff will assist visitors using wheelchairs picking up or dropping off material by bringing the material to the visitor or retrieving it from them. If a writing area is required and the counter is not accessible, a pre-designated table or desk will be used.
2. There will be an accessible route to all offices that meet with the public. If an accessible route is not feasible to certain offices, then an alternative room will be pre-designated as the meeting area.
3. Persons with hearing impairments may contact offices via e-mail, fax, or telephone relay service. If a person uses a telephone device for the deaf (TDD) and does not have access to alternative methods such as e-mail or fax, they may call OCR-A who will then relay the message to the appropriate office.
4. Walk-in service to the hearing impaired will be provided using the best immediately available means such as a notepad. A qualified interpreter will be provided if required with 3-day advance notice. (Reference the "State of Hawaii Disability Access to the Programs and Services Manual" for requirements.)
5. Requests for printed information in alternative format will be honored. (Reference the "State of Hawaii Disability Access to Programs and Services Manual")
6. The cost for alternative services such as Braille or sign language interpreter may not be charged to the requestor. However, if the DLNR has a standard charge for a service, such as a cost per page for copying documents, the requestor can be assessed this charge. For example: if a person who is blind requests that a 3-page document be translated into Braille, the maximum the department may charge is the standard rate; even though the Braille translation may cost \$40.00. If a person who is blind requests a copy of a document, we may charge them our standard copying charge but not the cost of translating into Braille.
7. If an office is not clear on how to respond to a request for an accommodation, it should contact the ADA coordinator's office at 587-0303.

Alternative Format Document Request Process

The request for alternative format documentation shall be processed by the divisional, district or staff office which received the request.

The respective divisional, district, or staff office contact the appropriate alternative format agency to have the Department's documents/information alternatively formatted. A reasonable timeframe may be required in order to provide the alternative format requested, such as a two weeks to transcribe documents into Braille. At the time of the request the divisional, district, or staff office will confirm the required time-frame with the provider and notify the requester. Cost for the alternative formatted information shall be borne by the Department and not be assessed to the person making the request.

Any other requests for special ADA equipment (e.g. TDD phones) shall be directed to the Departmental ADA coordinator for review. The divisional, district, or staff office requesting the equipment will prepare the purchase requisition and will be charged for the cost of the equipment or service.

Alternative Format Document Referral Listing

A short list of primary services is listed below. (Reference the "State of Hawaii Disability Access to Programs and Services Manual", dated March, 1999 for a complete listing).

BRAILLE: Hoopono (Library for the Blind) and Dolphin Press provides documents in Braille text.

Hoopono
402 Kapahulu Avenue
Honolulu, Hawaii 96815
Phone: 733-8444

Dolphin Press
137 Kuakolu Street
Hilo, Hawaii 96720
Phone: (808) 833-1198

CASSETTE AUDIO: Hoopono (Library for the Blind) also provides volunteer reader to transcribe documents to tape format.

SIGN LANGUAGE INTERPRETER: Hawaii Services for the Deaf. This is a referral service but there is a charge for referral. The request must be made with the longest lead-time possible; but at minimum three (3) days in advance.

Phone: 926-4760

LARGE PRINT: This service can be done in house on any copier with enlargement capabilities.

In addition to the above listing, other alternative formats may be provided depending upon the needs of the individual requesting the documents.

Administrative Authorization

All activities involved in handling a request for alternative format documentation shall be conducted during normal working hours.

References

The following statutes and executive orders serve as the bases for the establishment of the DLNR's complaint procedures:

- a. Sections 503 and 504 of the Rehabilitation Act of 1973, U.S. Department of Labor as amended; and
- b. Title II of the Americans with Disabilities Act of 1990.
- c. Governor's Administrative Directive No. 97-01 dated August 28, 1997.

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